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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

MALIBU MEDIA, LLC,

Plaintiff,

v.

Civil Action No. 2:13-cv-10513-JAC-MAR

MICHAEL TARATUTA,

Defendant.

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**DEFAULT JUDGMENT AND  
PERMANENT INJUNCTION AGAINST MICHAEL TARATUTA**

THIS CAUSE is before the Court on Plaintiff's Motion for Default Judgment Against Michael Taratuta ("Motion"). Having considered the Motion, being otherwise duly advised in the premises, and good cause appearing, the Court hereby

**FINDS:**

1. The address of Plaintiff is:

409 W. Olympic Blvd., Suite 501  
Los Angeles, CA 90015

2. The name and address of Defendant is:

Michael Taratuta  
418 Timberlea Drive  
Apt. 56  
Rochester Hills, MI 48309

3. This Court has jurisdiction over the subject matter of this case and the parties.
4. Venue is proper in this District.

5. The Amended Complaint states claims for direct copyright infringement, in violation of 17 U.S.C. § 106, and contributory copyright infringement upon which relief may be granted against Defendant.

6. Defendant has failed to plead or otherwise defend against Plaintiff's Amended Complaint in this action.

7. Default was entered as to Defendant on November 8, 2013.

8. Defendant is not a minor, incompetent person or in active military service.

9. By reason of default, Defendant has admitted the truth of the allegations in Plaintiff's Amended Complaint.

10. Under Count I of the Amended Complaint, Defendant is hereby found liable to Plaintiff for willfully committing direct copyright infringement.

11. Defendant will continue to cause Plaintiff irreparable injury. Specifically, there is an existing threat of continued violations of Plaintiff's exclusive rights to reproduce, distribute, perform and display the 69 copyrighted works listed on Exhibit A attached hereto (the "Works") through Defendant's use of the BitTorrent protocol to upload and download the Works between and among peer users without authorization from Plaintiff.

12. There will be no injury to Defendant caused by entry of a permanent injunction requiring Defendant to cease infringing Plaintiff's Works.

13. Entry of a permanent injunction against Defendant is in the public interest because it "preserv[es] the integrity of copyright laws which encourage individual effort and creativity by granting valuable enforceable rights." *DSC Communications Corp. v. DGI Technologies*, 898 F. Supp.1183, 1196 (N.D. Tex. 1995).

14. In accordance with Rule 65(d), Federal Rules of Civil Procedure, this Default Judgment shall be binding upon Defendant and all other persons in active concert or participation with Defendant who receive actual notice of this Default Judgment.

15. Plaintiff has submitted a Declaration demonstrating that Plaintiff expended a total of \$1,834.90 in attorneys' fees and costs, which amount this Court finds reasonable.

Based on the foregoing findings, it is:

**ORDERED AND ADJUDGED** that Defendant Michael Taratuta:

(a) shall pay to Plaintiff the sum of \$51,750.00 in statutory damages, as authorized under 17 U.S.C. § 504(c)(1), and \$1,834.90 for attorneys' fees and costs, as authorized under 17 U.S.C. § 505, making a total of \$53,584.90, **for which let execution issue forthwith;**

(b) shall pay to Plaintiff post-judgment interest at the current legal rate allowed and accruing under 28 U.S.C. § 1961 as of the date of this Default Judgment until the date of its satisfaction;

(c) be and hereby is enjoined from directly, contributorily or indirectly infringing Plaintiff's rights under federal or state law in the Works, including, without limitation, by using the internet, BitTorrent or any other online media distribution system to reproduce (e.g., download) or distribute the Works, or to make the Works available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiff.

(d) Be and is hereby ordered to destroy all copies of Plaintiff's works that the Defendant Michael Taratuta has downloaded onto any computer hard drive or server without Plaintiff's authorization, and shall destroy all copies of the Works transferred onto any physical medium or device in Defendant Michael Taratuta's possession, custody, or control.

(e) The Court shall retain jurisdiction over this action for six months or until the judgment is satisfied to entertain such further proceedings supplementary and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Default Judgment.

Date: September 22, 2014

s/Julian Abele Cook, Jr.  
JULIAN ABELE COOK, JR.  
United States District Court

**“EXHIBIT A” STARTS ON NEXT PAGE**

**EXHIBIT A****Copyrights-In-Suit for IP Address 68.61.101.254****ISP:** Comcast Cable**Location:** Rochester, MI

<b>Title</b>	<b>Registration Number</b>	<b>Date of First Publication</b>	<b>Registration Date</b>	<b>Most Recent Hit UTC</b>
A Day to Remember	PA0001811850	10/22/2012	10/26/2012	11/26/2012
A Girls Fantasy	PA0001819294	12/23/2012	01/01/2013	12/29/2012
A Love Story	PA0001819296	12/18/2012	12/31/2012	12/30/2012
Angel Afternoon Delight	PA0001776835	02/20/2012	02/21/2012	05/05/2012
Angel Journey To The East	PA0001769490	12/22/2011	01/04/2012	05/05/2012
Anneli Dream Girl	PA0001769489	12/19/2011	01/04/2012	05/05/2012
Anneli Leila Menage A Trois	PA0001771662	01/13/2012	01/17/2012	01/19/2012
Being Me	PA0001802560	08/15/2012	08/21/2012	09/05/2012
Blonde Ambition	PA0001779796	03/05/2012	03/06/2012	05/05/2012
Breakfast in Bed	PA0001787253	04/16/2012	04/17/2012	05/05/2012
By Myself	PA0001816167	11/20/2012	12/11/2012	11/25/2012
Carla Intimate	PA0001778767	02/24/2012	02/27/2012	05/05/2012
Carmen Leila Christmas Vacation	PA0001771706	12/16/2011	01/17/2012	05/05/2012
Carmen Poolside Striptease	PA0001771672	01/09/2012	01/17/2012	01/19/2012
Classic Beauty	PA0001806473	09/11/2012	09/19/2012	10/07/2012
Constance Aaron X-Art on TV	PA0001771707	12/02/2011	01/17/2012	05/05/2012
Coucher Avec une Autre Fille	PA0001801715	08/13/2012	08/14/2012	09/05/2012
Cum With Me	PA0001817714	12/04/2012	12/16/2012	01/22/2013
Daydream	PA0001810455	10/15/2012	10/15/2012	10/17/2012
Evening at Home	PA0001782559	03/21/2012	03/22/2012	05/05/2012
Evening at Home Part #2	PA000178520	04/04/2012	04/04/2012	05/05/2012

Title	Registration Number	Date of First Publication	Registration Date	Most Recent Hit UTC
	4			
Finding Elysium	PA000181478 4	11/15/2012	11/19/2012	11/25/2012
First Love	PA000180647 6	09/05/2012	09/25/2012	10/06/2012
Formidable Beauty	PA000181478 5	11/17/2012	11/19/2012	11/26/2012
Happy Ending	PA000178046 4	12/12/2011	03/10/2012	05/05/2012
House of the Rising Sun	PA000180647 5	09/07/2012	09/19/2012	10/07/2012
Inspiration	PA000180171 4	08/10/2012	08/14/2012	09/05/2012
Just Married	PA000178047 2	07/06/2011	03/10/2012	05/07/2012
Leila Last Night	PA000177590 6	02/01/2012	02/17/2012	02/06/2012
Like a Dove	PA000179045 7	05/23/2012	05/23/2012	05/28/2012
Lipstick Lesbians	PA000181775 5	12/15/2012	12/17/2012	12/30/2012
Little Lover	PA000179497 6	04/30/2012	05/02/2012	05/12/2012
Lovely Lovers	PA000178733 0	04/18/2012	04/18/2012	05/05/2012
Lovers Quarrel	PA000181424 7	11/13/2012	11/28/2012	11/26/2012
Loving Angels	PA000181775 2	11/30/2012	12/17/2012	01/22/2013
Lunchtime Fantasy	PA000178170 2	03/19/2012	03/19/2012	05/05/2012
MaryJane Young Love	PA000176240 4	08/15/2011	11/23/2011	05/06/2012
Miss Me Not	PA000181776 3	12/11/2012	12/16/2012	01/22/2013
Morning Desires	PA000181929 2	12/31/2012	01/08/2013	01/22/2013
Morning Fantasy	PA000178047 4	01/18/2012	03/10/2012	05/05/2012
Natural Beauty	PA000178046 7	10/17/2011	03/10/2012	05/05/2012
On My Own	PA000179496 5	06/04/2012	06/08/2012	06/09/2012
One Night Stand	PA000179497 3	05/02/2012	05/02/2012	05/12/2012
Paradise Found	PA000178336 2	03/25/2012	03/26/2012	05/05/2012
Perfect Girls	PA000178345	03/28/2012	03/28/2012	05/05/2012

Title	Registration Number	Date of First Publication	Registration Date	Most Recent Hit UTC
	4			
Prelude to Passion	PA0001816166	11/27/2012	12/11/2012	12/29/2012
Pretty Back Door Baby	PA0001789427	05/08/2012	05/10/2012	05/12/2012
Private Time	PA0001804966	07/31/2012	08/21/2012	09/05/2012
Romantic Memories	PA0001790375	05/16/2012	05/16/2012	05/18/2012
Sapphic Experience	PA0001793364	06/11/2012	06/14/2012	06/17/2012
Sent from Heaven	PA0001819295	12/21/2012	12/31/2012	12/29/2012
Silver Bullets	PA0001790373	05/13/2012	05/16/2012	05/18/2012
Silvie Eufat Strip Poker	PA0001775909	02/06/2012	02/17/2012	05/05/2012
Slow Motion	PA0001787875	04/22/2012	04/23/2012	05/05/2012
Starting Over	PA0001803663	08/27/2012	09/10/2012	09/05/2012
Sweetest Dreams	PA0001820194	01/04/2013	01/08/2013	01/22/2013
Teenage Dream	PA0001791491	05/29/2012	06/01/2012	06/02/2012
Then They Were Three	PA0001817761	12/09/2012	12/16/2012	01/22/2013
Three for the Show	PA0001808630	09/24/2012	09/28/2012	10/07/2012
Time to Go	PA0001780771	03/14/2012	03/10/2012	03/19/2012
Together Again	PA0001819288	12/28/2012	01/01/2013	01/22/2013
Underwater Lover	PA0001806474	09/17/2012	09/20/2012	10/07/2012
Unforgettable View #2	PA0001817765	12/13/2012	12/16/2012	01/22/2013
Vacation Fantasy	PA0001814250	11/10/2012	11/28/2012	11/26/2012
Veronika Coming Home	PA0001774761	01/25/2012	02/03/2012	05/05/2012
Warm Inside	PA0001820856	01/11/2013	01/13/2013	01/13/2013
Waterfall Emotions	PA0001817757	12/05/2012	12/16/2012	01/22/2013
Wild at Heart	PA0001785969	04/08/2012	04/09/2012	05/05/2012
Young and Hot	PA0001794969	06/06/2012	06/08/2012	06/07/2012

**Total Malibu Media, LLC Copyrights Infringed: 69**